



Serial No.: 09/508,874
Confirmation No.: 3542
Applicant: MAITLAND, Geoffrey et al.
Atty. Ref.: 11836.0689.PCUS00

REMARKS:

REMARKS REGARDING CLAIMS AMENDMENTS:

The above noted amendments to the claims have been made so that the scope and language of the claims is more precise and clear in defining what the Applicant considers to be the invention. Specifically, allowed Claim 39 has been amended to include the limitations of claims 38 and 22 from which claim 39 was dependent. Similarly allowed claims 58 and 59 have been amended to include the limitations of claim 43 from which claims 58 and 59 were dependent.

The remainder of the amendments have been made to take into account the above noted changes in the claims. Thus, claims 23, 25, and 44 have been amended to be dependent upon allowed claim 39. Similarly, claims 54, 55, 56, and 57 have been amended to be dependent upon allowed claim 58.

The claims and amended claims are submitted as being clearly distinct and patentable over the art of record and therefore their entry and allowance by the Examiner is requested.



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IN RESPONSE TO THE OFFICE ACTION:

FIRST REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH:

Claims 46 and 54 were rejected under 35 U.S.C. §112, second paragraph as being indefinite and failing to particularly point out the Applicant's invention.

In the above amendment claim 46 has been and canceled and Claim 54 has been amended to accordingly adjust the preamble to that of a method claim. Thus the basis for this rejection have been obviated.

Applicant submits that the above amendments obviate the rejection of the claims under 35 U.S.C. §112, second paragraph and thus ask that the Examiner reconsider and withdraw the rejection of the claims and indicate their allowance in the next paper from the Office.

REJECTION UNDER 35 U.S.C. § 102:

Claims 22-37, 41, 42, 44-50, 52 and 53 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,348,938 issued to Mueller et al. (the Mueller reference). Further claims 22, 25, 26, 28, 29, 31-34, 37, 41, 42, 44-47, 52 and 53 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,141,920 issued to Bland et al. (the Bland reference). And finally, claims 22-37, 41-50, 52-57 and 60 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,029,755 issued to Mueller et al. (the Patel reference).

Claims 58 and 59 were objected to as being dependent upon rejected base claims but otherwise allowable.

Claims 39-40 and 51 were indicated as being allowable

Applicant has amended the claims in a manner to allow the immediate issuance of the allowed subject matter. In doing so, Applicant expressly reserves the right to pursue the canceled subject matter in a continuation application to be filed prior to the issuance of the present application.

In view of the above, Applicant requests the reconsideration and withdrawal of the rejection of application under 35 U.S.C. §102 and ask that the Examiner indicate the allowance of the remaining claims in the next paper from the Office.



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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 01-2508, referencing Order No. 11836.0689.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

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